

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

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|--------------------------|---|------------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Case No. 1:23-mj-00249 |
| v. |) | |
| |) | U.S. Magistrate Judge Steger |
| TYLER SEABERG |) | |

MEMORANDUM AND ORDER

TYLER SEABERG (“Defendant”) came before the Court for an initial appearance on August 10, 2023, in accordance with Rule 5 of the Federal Rules of Criminal Procedure on the Criminal Complaint supported by an Affidavit [Doc. 1] (“Complaint”).

After being sworn in due form of law, Defendant was informed of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

Attorney Brian O'Shaugnessy entered an appearance as retained counsel for Defendant. Consequently, the Court did not need to make a determination as to whether Defendant qualified for the appointment of an attorney to represent him at government expense.

Defendant was furnished with a copy of the Complaint and the Affidavit, and had an opportunity to review those documents with his attorney. The Court determined that Defendant was able to read and understand the Complaint with the assistance of his counsel. In addition, AUSA Russ Swafford explained to Defendant the specific charges contained in the Complaint. Defendant acknowledged that he understood the charges in the Complaint.

The Government moved for Defendant to be released on bond pending disposition of the Complaint or further Order of this Court. The Court acceded to this request and released Defendant on bond subject to the Order Setting Conditions of Release [Doc. 3].

The Court explained Defendant’s right to a preliminary hearing. The Court scheduled the preliminary hearing on August 23, 2023, subject to the caveat that the preliminary hearing will be canceled in the event Defendant is indicted on the charge in Complaint prior to that date.

It is, therefore, **ORDERED** that:

1. Defendant shall be **RELEASED ON BOND** subject to the Order Setting Conditions of Release [Doc. 3] pending disposition of the Complaint or further order of this Court.
2. The Court shall conduct a preliminary hearing on **August 23, 2023, at**

10:00 a.m., subject to the caveat that the preliminary hearing will be canceled in the event Defendant is indicted on the charges in the Complaint prior to that date.

3. In the event Defendant is indicted by the Grand Jury prior to August 23, 2023, the Court will conduct an arraignment on such date at 10:00 a.m.

ENTER.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE